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REPLY UNDER 37 CFR 1.116 EXPEDITED PROCEDURE TECHNOLOGY CENTER 3700

BSTZ Docket No. 005618.P3665 ACS No. 3665

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Webler et al.

Application No. 10/712,553

Filed: November 12, 2003

For: VALVE APTATION ASSIST DEVICE

Examiner: Gherbi, Suzette Jaime J.

Art Unit 3738

Confirmation No. 9168

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the final Office Action mailed November 22, 2006, Applicants respectfully request consideration of the subject application in view of the following amendments and remarks.

01/16/2007 ZJUHAR1 00000036 022666 10712553

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400.00 DA

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (310) 207-3800

INTELLECTUAL PROPERTY LAW 12400 WILSHIRE BOULEVARD, 7TH FLOOR Los Angeles, CA 90025

FACSIMII.E: (310) 820-5988

(310) 820-5720

FACSIMILE COVER SHEET

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Deliver to: Gherbi, Suzette Jaime J., USPTO Facsimile No.: (571) 273-8300 From: William Thomas Babbitt, Reg. N Our Docket No.: 5618P3665 Application No.: 10/712,553	Date: 1/12/2007
Enclosed are the following documents: After Final (10 pgs) Appeal Brief (pgs)	☐ Issue Fee Transmittal ☐ Notice of Appeal
□ Application:	Petition for:
CERTIFICATE OF MAILIN	IG/TRANSMISSION (37 CFR 1.8A) wed by facsimile on the date shown below to the United States 12/2207 Date

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JAN 1 2 2007

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	10/712,553					
		Filing Date	November 12, 2003					
		First Named Inventor	William E. Webler					
		Art Unit	3738					
		Examiner Nama	Gherbi, Suzette Jaime J.					
Total Number of Pages In This Submission 13		Attorney Docket Number	5618P3665					
ENCLOSURES (check all that apply)								
Fee Transmittal Form		Drawing(s)		After Allowance Communication to TC				
Fee Allached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences				
Amendment / Reply		Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)				
After Final Affidavits/declaration(s)		Petition to Convert a Provisional Application		Proprietary Information				
Extension of Time Requi	est	Power of Ai Change of	ttorney, Revocation Correspondence Address	Status Letter				
Express Abandonment R	bandonment Request		Disclaimer	Other Enclosure(s) (please identify below):				
Information Disclosure S	inemetal	Request for	Refund					
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Certified Copy of Priority Document(s)	· I	Lands	cape Table on CD					
Response to Missing Parts/ Incomplete Application Remarks								
Declaration/F			_					
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Signature								
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I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.								
Typed or printed name	Suzanne John	nston						
Signature				Date 1/17/07				
Baead on PTO/SB/21 (09-04) as modified by Blakely, Solokof, Taylor & Zahmir/nac) 10/12/2006. BEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313/1450								

JAN 1 2 2007

FEE TRANSMITTAL	Complete If Known							
	Application Number 10/712,553							
for FY 2006	Filing Date		November 12, 2003					
Parent feas ere subject to annual revision.	First Named Inventor		William E. Webler					
Applicant dalms small entity status. See 37 CFR 1.27.	Examiner Name	Gherbi, Suzette Jaime J.						
TOTAL AMOUNT OF PAYMENT (\$) 400,00	Art Unit Attorney Docket No.		3738					
TOTAL AMOUNT OF PAYMENT (\$) 400,00 Afformey Docket No. 5618P3665								
METHOD OF PAYMENT (check all that apply)								
Check Credit card Money Order None	other (please identify	y):						
Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman 1.1.P								
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.								
FEE CALCULATION								
1. EXTRA CLAIM FEES suits see too								
Claims below Fee Paid								
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1752 450 2252 225 Extension for reply within second ments								
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1807 50 1807 50 Pracessing fee under 37 CFR 1 17(q) 1806 180 Submission of Information Dissipation Stimi								
1809 790 1809 395 Filing a submission offer final rujection (37 CFR § 1.129(e))								
1810 760 2810 385 For each additional invention to be examined (37 CF	rt <u>g</u> 1.126(0))	\vdash						
SUBTOTAL (2) (5)								
SUBMITTED BY	Registration No.		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	plete (if applicable)				
Name (Provetype) William Thomas Babbitt	(Attorney/Agent)	39,591	Telephone	(310) 207-3800				
Signature Milliam V Poablish			Date	1/12/07.				
Based on PTO/SB/17 (12-04) as modified by Blakery, Sokoloft, Taylor & Zalmon (wir) 12/15/2004. SEND TO Commissioner for Papants, P.O. Box 1450, Alexandria, VA 22315-1450								